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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/051,805	01/15/2002	Yoshihiro Nakami	MIPFP002	6021
25920	7590	09/05/2006	EXAMINER	
MARTINE PENILLA & GENCARELLA, LLP			BRINICH, STEPHEN M	
710 LAKEWAY DRIVE			ART UNIT	PAPER NUMBER
SUITE 200				
SUNNYVALE, CA 94085			2625	

DATE MAILED: 09/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/051,805	NAKAMI ET AL.	
	<b>Examiner</b> Stephen M. Brinich	<b>Art Unit</b> 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 26 June 2006.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-50 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-50 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | Paper No(s)/Mail Date. _____.   |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____.                                   |

**DETAILED ACTION**

***Response to Arguments***

1. Applicant's arguments in the Response filed 6/26/06 (page 16, lines 7-11) with respect to the rejection of claims 26 & 49 under 35 USC §101 have been fully considered and are persuasive. The rejection of claims 26 & 49 under 35 USC §101 has been withdrawn.

2. Applicant's arguments, see Response filed 6/26/06, with respect to the rejection(s) of claim(s) the rejection of claims 1-7, 9-14, 16-18, 20-22, 24-34, 36-46, & 48-50 under 35 USC §102 (page 16, line 12 - page 19, line 22) and the rejection of claims 8, 15, 19, 23, 35, & 47 under 35 USC 103 (page 19, line 23 - page 20, line 7) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Nakatsuka in view of Shiota et al.

***Claim Rejections - 35 USC § 103***

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
4. Claims 1-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakatsuka in view of Shiota et al.

Re claims 1, 6, 8-9, 15, 19, 23-25, 27, 35-38, & 47-50,  
Nakatsuka discloses (Abstract; Figures 1-2; column 1, line 58 -  
column 2, line 26) a graphics processing device and method for  
image quality correction. The image quality properties are  
analyzed to acquire image quality property information  
indicative of a designated image quality property (an "image  
processing parameter" associated with a designating "keyword")  
and also to acquire graphics processing control information ("a  
magnitude of a parameter adjuster"). An image quality adjustment  
is carried out on the basis of both graphics processing control  
information (the previously recited "magnitude of a parameter  
adjuster") and the image quality property information (the  
previously recited "image processing parameter" which is  
referenced by a keyword) to produce an output graphics file from  
the result.

Re claims 1, 6, 8-9, 15, 19, 23-25, 27, 35-38, & 47-50,  
Nakatsuka does not disclose expressly the storage of image data  
and image quality property information in a single file in  
association with one another.

Shiota et al discloses (column 2, lines 50-56) the storage  
of image data and image quality property information in one file  
(and thereby inherently associating the two with one another).

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Nakatsuka and Shiota et al are combinable because they are from the field of digital image processing.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to store of image data and graphics processing control information in one file.

The suggestion/motivation for doing so would have been to enable the processing of an image without the need to repeatedly determine a set of graphics processing control information to produce desired results (as noted by Shiota et al at column 2, lines 11-21).

Therefore, it would have been obvious to combine Nakatsuka with Shiota et al to obtain the invention as specified in claims 1, 6, 8-9, 15, 19, 23-25, 27, 35-38, & 47-50,.

Re claims 2, 10, 21, 30, 32, 41, & 43, Nakatsuka further discloses (column 6, lines 16-18 & 56-60) a plurality of image quality properties.

Re claims 3, 11, 16-17, 20, 28-33, 39-43, & 45, Nakatsuka further discloses (Figure 7; column 7, lines 38-42) the use of a determined "Standard" image quality parameter.

Re claims 4-5 & 11-13, Nakatsuka further discloses (column 1, lines 4-6; column 11, lines 24-33) an adjustment to the image processing parameter (which inherently increases or decreases

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the amount of correction associated with it in any case where the "adjustment" is nonzero).

Re claims 7, 14, 18, 22, 33, & 45, one of the image quality properties is noise level (which is clearly related to noise reduction).

Re claims 26, 44 & 49, Nakatsuka further discloses (Figure 1) a computer-based implementation of this graphics processing device and method.

Re claims 34 & 46, Nakatsuka further discloses (Figures 6-7; column 7, lines 32-43) the display and selection of image quality adjustment processing conditions.

***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will

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expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning the contents of this communication or earlier communications from the examiner should be directed to Stephen M. Brinich at 571-272-7430.

Any inquiry relating to the status of this application or proceeding or any inquiry of a general nature concerning application processing should be directed to the Tech Center 2600 Customer Service center at 571-272-2600 or to the USPTO Contact Center at 800-786-9199 or 571-272-1000.

The examiner can normally be reached on weekdays 8:00-5:30, alternate Fridays off.

The examiner's unit designation has been changed from "Art Unit 2624" to "Technology Division 2625" (as of March 20, 2006).

If attempts to contact the examiner and the Customer Service Center are unsuccessful, supervisor David Moore can be contacted at 571-272-7437.

Faxes pertaining to this application should be directed to the Tech Center 2600 official fax number, which is 571-273-8300 (as of July 15, 2005).

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Hand-carried correspondence may be delivered to the Customer Service Window, located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314.

*Stephen Brinich*  
Stephen M Brinich  
Examiner  
Technology Division 2625

smb  
August 23, 2006

*David D.*

THOMAS D.  
~~REED~~ LEE  
PRIMARY EXAMINER